

REMARKS

Claims 1, 13-14, 19-20, 22 and 24 are amended; claims 12, 15-16, and 31-34 are cancelled herein; claims 4, 6, 21, 23 and 30 are withdrawn. Therefore, claims 1-11, 13, 14, and 17-30 are currently pending. The amendments to the claims are fully supported by the original claims and specification. For example, claim 1 was amended to add the limitations of original claim 12. No new matter has been added. Entry of the amendments at this time is therefore respectfully requested. Applicant reserves the right to pursue any of the cancelled claims in one or more continuation applications.

As Applicant mentioned in the response to the Restriction Requirement, Applicant again thanks the Examiner for acknowledging in the Restriction Requirement that upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided and set forth in 37 CFR 1.141.

Claims 12 and 14 were objected to because of typographical errors. This objection is now moot in view of the cancellation of claim 12 and the amendment to claim 14.

Claims 1-3, 5, 7-20, 22, and 24-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wang *et al.*, US Patent No. 6,566,341 (the '341 patent) for the reasons set forth on pages 4-6 of the Office Action.

The '341 patent is directed to derivatives of isoindigo, indigo and indirubin, primarily for the treatment of cancer. According to the '341 patent, the compounds of the invention prevent uncontrolled cell proliferation by regulating the cyclin-dependent kinases. Meisoindigo and NATURA specifically inhibit activities of cdk4/6, cdk2, and cdc2, thereby preventing cell proliferation and/or inducing cell differentiation/maturation without affecting cell viability and promoter apoptosis. The '341 patent further discloses that the compounds of the invention can be useful for treating specifically Alzheimer's disease, psoriasis, cardiovascular diseases, glomerulonephritis.

The present application is based on the inventors' surprising discovery that the compounds disclosed in the '341 patent not only regulated cyclin-dependent kinases, but also regulated cytokine expression. The inventors then further discovered that by providing lower amounts of the compounds that cytokine expression could be regulated without significantly regulating cyclin-dependent kinases. For example, as disclosed in the present specification, a

Title: "Methods of Treating an Inflammatory-Related Disease"

U.S. Serial No. 10/754,547

dosage of Meisoindigo to treat cancer (regulation of cyclin-dependent kinases) is generally about 150 mg per day, while the dosage of Meisoindigo to treat inflammatory bowel disease (regulation of pro-inflammatory cytokines) is typically only 25 mg per day. In addition, the inventors also found that if the dosage amount of the compound is sufficient to inhibit CDK, the compound typically negatively affects the inflammation healing process. Applicant believes that this is because the lesion healing process in treating inflammatory diseases requires cell proliferation, e.g., ulcerative colitis and interstitial cystitis.

Applicant has amended the present claims to cancel all reference to Alzheimer's disease, psoriasis, cardiovascular diseases, or glomerulonephritis and the categories to which these diseases are associated.

In view of the above amendments, Applicant respectfully requests that this rejection be withdrawn.

Claims 1-3, 5, 7-20, 22 and 24-30 were rejected for Double Patenting in view of claims 10-36 of Application No. 11/104,422. Applicant will maintain a clear line of demarcation between the applications.

Claims 1-3, 5, 7-20, 22 and 24-30 were provisionally rejected for nonstatutory obviousness-type double patenting over claims 1-24 of copending Application No. 11/494,362. Applicant will file a terminal disclaimer upon allowance of the claims if one is necessary at that time.

In view of the above, Applicant believes all claims to be in condition for allowance. If there are any questions, the Examiner is invited to call Applicant's representative Rodney Fuller at (602) 916-5404 to resolve any remaining issues to expedite the allowance of this application.

Respectfully submitted,

June 27, 2007

Date

/Rodney J. Fuller/

Rodney J. Fuller

(Reg. No. 46,714)

FENNEMORE CRAIG

Customer No. 27,887

602-916-5404